

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
BEAUMONT DIVISION

ROBERT M. SHAW  
V.  
FIFTH THIRD BANK

§  
§  
§  
§

Case No. 1:09-CV-728

**ORDER ADOPTING  
MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION**

The court referred this matter to the Honorable Earl S. Hines, United States magistrate judge, for pretrial proceedings pursuant to a Referral Order entered on July 30, 2009. The court has received and considered the report of the United States magistrate judge, who recommends that the court grant the plaintiff's motion to dismiss and enter judgment.

The magistrate judge's report is hereby **ADOPTED**. The purpose of the referral having been served, it is further

**ORDERED** that the reference to the magistrate judge is **VACATED**.

So **ORDERED** and **SIGNED** this **30** day of **November, 2009**.

  
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Ron Clark, United States District Judge